

STATE OF WISCONSIN

# Senate Journal

## Seventy-Seventh Session

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THURSDAY, January 21, 1965.

9:50 o'clock A.M.

The senate met.

The president pro tempore in the chair.

Prayer was offered by Captain Benjamin F. Anderson, Chaplain, U.S.A.F.

The calling of the roll was dispensed with, upon motion of Senator Knowles, with unanimous consent.

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Upon motion of Senator Knowles, with unanimous consent, the senate recessed subjected to the call of the chair.

During this recess and the hour of 10:00 o'clock A.M. approaching the senate proceeded in a body to the assembly chamber to meet in joint convention with the assembly to receive a special message by the Governor, the Governor having expressed a desire to address the two houses at that time.

### IN ASSEMBLY CHAMBER IN JOINT CONVENTION

The president pro tempore in the chair.

The committee appointed to wait upon the Governor appeared with His Excellency, the Governor, who delivered his message as follows:

GOVERNOR'S SPECIAL MESSAGE  
ON TRAFFIC SAFETY

A few years ago a tornado struck northwestern Wisconsin. It killed 30 people, most of them in the Colfax area.

This was a tragedy of immense proportions. Communications media from all over the world wanted reports on what had happened. People sent food, clothing and money to the stranded victims. The American Red Cross called that part of our state a disaster area.

And indeed it was a disaster area—with death, injury and violent destruction of property.

We have read and heard in recent months about brutal murders or drowning victims, whose lives were lost because witnesses standing by have refused to help. We become aroused and incensed over the fate of these defenseless victims.

Yet last year in Wisconsin we murdered by motor vehicles 1,057 people—a new record, a shameful record.

Most of us sat by and did very little. This year it appears that we are embarked on another campaign to kill our neighbors in traffic. Right now we are surpassing last year's frightful accident toll.

Ladies and gentlemen—it is time that we quit standing on the sidelines. It is time that we get to work and take drastic action to meet this emergency!

We have tried slogans for safety, but they seem to fall on deaf ears. We have tried instilling fear, but the message doesn't get through. Those who have spent a lifetime in the field of traffic safety tell me that there is no one answer to the problem facing us, but they do agree that the one ingredient that can dramatically force a safety consciousness is the fear of losing one's driver's license.

It's strange that we can't imagine our lives being lost, or our bodies being mutilated in an automobile accident; but we can understand the impact of losing our driving privileges.

The time for sloganeering is over.

The time for soft-glove treatment is past.

The time for tough action is here. As a matter of fact, it is long overdue!

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The toll of 1,057 lives lost in Wisconsin traffic crashes last year means that 152 *more* people were killed on our roads in 1964 than were lost in the same inglorious way in 1963.

Forty thousand people were injured on our roads last year—3,700 *more* than the year before.

And our economic loss in traffic mishaps last year was \$190,000,000—\$27,000,000 *more* than the year before.

This senseless waste of manpower, resources, and money can *and must* be brought to a much lower level. *Stricter enforcement is one of the answers.* We know this is true because it has been applied in other states with remarkable effectiveness.

We must get tough with careless drivers. There can be no compromise on this problem. The people of Wisconsin deserve action; they have no one else to turn to; in fact, the indignation of the press and executive department mail shows that they DEMAND action.

My office has received hundreds of letters, wires and phone calls—making suggestions for highway safety improvement. I have consulted with numerous respected authorities, including some who are in this room. With their help I am presenting the following seven legislative proposals which, if enacted into law, will greatly strengthen Wisconsin's overall traffic safety program. These bills were introduced today at my request:

First—A Governor's Council on Traffic Law Enforcement. I have created by executive order such an advisory group, made up of members representing state, county and local law enforcement organizations, the Legislative, and the public.

I have directed this council to meet within two weeks in my office and to prepare a preliminary report within 60 days. In this report I expect to see a plan whereby all existing enforcement manpower can be utilized in a coordinated effort which will avoid any duplication of patrolling, and accident investigation, and which will assure optimum return for every dollar investment in enforcement resources. It is just possible that we may have a sufficient number of state and local traffic officers to do the job.

I believe that with a properly coordinated program of traffic law enforcement—utilizing to the greatest potential possible, all existing state patrolmen, county traffic officers,

sheriffs and their deputies, and local police—we ought to be able to provide for our people more protection than we now are receiving. We have over 1,000 county traffic officers and sheriff's deputies on our highways now.

If the representatives meeting with me to draft plans for such a coordinated program fail to supply an action blueprint for joint enforcement effort equal to our needs, then I will definitely recommend an increase in the state traffic patrol. In a year in which we are beset with financial problems and where taxes are high we must hold the line in every area, utilizing efficiencies, economies, and manpower to the fullest extent before attempting new and costly programs.

I am requesting that an advisory council on law enforcement be established by law, and that it be continued on a permanent basis. There is ample reason for such a study group to exist, and to devote itself to exploring ways in which we can strengthen the role of law enforcement in police traffic supervision and accident prevention.

Second—It is proposed that any motorist convicted of exceeding a known speed limit by 20 miles per hour or more be suspended for a specified period. There may be need for traffic engineers to make a realistic appraisal of speed limits in some areas, and it may be wise to consider establishing a minimum speed limit for our freeways, but certainly we must get tougher with the deliberate, intentional speeders who are marking themselves as targets for special attention by their highly dangerous actions.

Third—It is proposed that the motor vehicle department initiate a strong driver improvement program for problem drivers. Under this plan special counseling would be provided for drivers who have acquired a certain number of demerit points due to court convictions or who have had repeated accident experience in a relatively short period.

We know that there are many such drivers, and we know that counseling of such drivers is helpful in preventing them from having driving problems in the future.

One look at the records concerning the 77 traffic fatalities in November of 1964 reveals that many drivers in fatal accidents have been in trouble before, trouble that had been brought to the attention of the driver control division of the state motor vehicle department, which had acted to the fullest extent of powers granted by statute.

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The picture is one of a steady parade of "surviving drivers" with records of prior accidents, convictions, suspensions and revocations.

The motor vehicle department conducted a test in 1961, inviting in drivers with poor records for individual counseling. The 233 drivers had been involved in 862 accidents during that year. *Over the next four years these same drivers were involved in only 35 reportable accidents.*

The proposal is to allow the motor vehicle department to call problem drivers in for counseling, and to provide the personnel and facilities to do the job. We know that driver counseling cuts traffic accidents, and any reduction in traffic accidents automatically stops the highway carnage, *which already appears to be heading for another record in 1965 unless we act, and act fast.*

Fourth—It is proposed that Wisconsin adopt a probationary license for all new drivers, regardless of age. Such a licence would be different in color, and its holder would face suspension upon reaching six points instead of 12 under the state's demerit point system of rating driver performance. So long as the holder of a probationary license conducted himself properly, he would enjoy as much liberty as the holder of a regular license.

Fifth—It is proposed that Wisconsin adopt an implied consent law. Twelve states have such legislation to help curb drunken driving. Under such a law, any driver upon accepting his license is presumed to have consented to a chemical test for intoxication if an arresting officer has reasonable grounds to believe such person to be intoxicated. Tests would have to be administered by competent personnel, and the aggrieved parties would be entitled to all the safeguards of existing administrative and judicial review.

Sixth—It is proposed that before any youth under 18 can be licensed as a driver, he must successfully complete a state-approved driver education course.

Drivers between 16 and 25 comprise only 20 per cent of the licensed driving population, but they are involved in 35 per cent of all accidents and in 37 per cent of all fatal accidents.

Numerous studies indicate that those who have had driver education usually are much better drivers. They have fewer court convictions, and many of them have been extended reduced rates when applying for insurance.

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State aids for driver education are available, and Wisconsin has a good number of teachers trained to conduct driver education courses.

And Seventh—It is proposed that every motor vehicle be inspected for safety as a prerequisite to annual vehicle registration. Selected garages and service stations would be authorized to act as agents for the state, being reimbursed by the state out of a slight increase in auto registration fees. Twenty states and the District of Columbia now have motor vehicle inspection programs.

Parts of my safety program call for toughness in driver control through loss of driving privileges. I can anticipate protests by those who will plead that laws in this regard are strong enough now. A breadwinner who is deprived of his license to drive for a specified period quite naturally is upset. His job may be put in jeopardy. His family may suffer hardship.

But his being grounded for a time is nothing compared to the irreparable loss suffered by families who mourn the death of a loved one in a needless automobile tragedy. The temporary withdrawal of a license is nothing compared to the permanent sting endured by people who know the torture of crippling injury.

You will be subjected to powerful forces who may not be in agreement with suggestions made for improving traffic safety. Lip service to the cause of safety is easy. Relentless crusading in behalf of safety is quite another matter.

Wisconsin proudly boasts that it was the first state in the nation to pass a law requiring the installation of seat belts in the front compartment of all automobiles. A few dedicated citizens, who were solidly sold on the value of seat belts, kept up the pressure day after day, week after week, until all resistance crumbled.

A lady in New Berlin thought Wisconsin should have a law setting up standards for recapping of used tires. She relentlessly kept after legislators on the subject. She organized her friends, spoke to various groups, and fought almost single-handed to break down opposition to her idea. She won out, and she has won praise from even her opponents for being sincere in her desire to promote highway safety.

Each one of you must be as dedicated as that! Each one of you must act, in your own behalf and as spokesman for the public.

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The briefness of this message in no way detracts from the importance of the problem. We must do something about this now. I am submitting legislation on highway safety this morning.

I urge that these bills be scheduled for a joint hearing before the highway committees at the earliest possible date, and I hope that these recommendations will be enacted into law before April 1.

We all recognize the emergency. While we have been complacent about dealing with the public, equivocating and justifying our desire to move slowly in new areas of enforcement, engineering, and education, the time has now come when we can no longer drag our feet.

We must give our enforcement agencies the tools with which they can successfully remove violators of our laws from the highways. We must get rid of the menaces to our lives.

I therefore submit that you should treat this problem as though it were your life that is at stake. We can no longer be so preoccupied with living that we do not recognize the prospect of death.

This senseless highway slaughter must stop. I ask your immediate consideration in adopting this action-oriented program which I have submitted to you.

Thank you.

WARREN P. KNOWLES,  
Governor.

Madison, Wisconsin  
January 21, 1965

Upon motion of Senator Leonard, the joint convention dissolved.

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At 10:35 o'clock A.M. the senate reconvened in its chamber.

The president pro tempore in the chair.

The clerk was directed to call the roll.

The roll was called and the following senators answered to their names:

Senators Benson, Bice, Busby, Carr, Christopherson, Dempsey, Draheim, Hansen, Hollander, Kendizorski, Kep-

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pler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, Lourigan, McParland, Meunier, Panzer, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Sussman, Thompson, Warren and Zaborski—30.

Absent with leave—Senators Miller and Smith—2.

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### RESOLUTIONS INTRODUCED

#### **Senate Joint Resolution 14**

A joint resoltuion granting the use of the senate and assembly chambers to Badger Girls State, Inc., for the purpose of holding a practice legislative session.

By Senators Roseleip, McParland, Benson, Panzer and Krueger; and Assemblymen Haase, Kenyon and Jones.

Was read.

The joint resolution was considered at this time, upon motion of Senator Roseleip, with unanimous consent.

The joint resoltuion was adopted.

Ordered immediately messaged to the assembly.

#### **Senate Joint Resolution 15**

Relating to the eligibility of military officers for the legislature (2nd consideration).

By Senator Roseleip; co-sponsored by Assemblyman Hanna.

Read first time.

To committee on Judiciary.

#### **Senate Joint Resolution 16**

Relating to encouraging congress to continue the House Committee on Un-American Activities and the Senate Internal Security Subcommittee.

By Senator Roseleip, and Assemblyman Hanna, by request of the American Legion.

Was read.

To committee on Governmental and Veterans' Affairs.



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## BILLS INTRODUCED

### Senate Bill 24

Relating to enabling ordinances adopted by municipalities participating in, and the organization and meetings of community relations-social development commissions.

By Senator Leonard.

Read first time.

To committee on Public Welfare.

### Senate Bill 25

Relating to parental liability for acts of minor child.

By Senator Leonard.

Read first time.

To committee on Judiciary.

### Senate Bill 26

Relating to sale or exhibition of indecent matter, declaratory judgments against obscene matter, and reports on violations of laws against such matter and providing a penalty.

By Senators Leonard, Panzer, Knowles, Krueger, Warren, Carr, Meunier, LaFave, Schuele, Lourigan and Keppler; and Co-authors Assemblymen Borg, Haase, Ceci, Wackett, Belting, Staulbaum, Bock, Wartinbee, Peterson, Quinn, Heinzen, Clemens, Merkel, Schwefel and Shabaz.

Read first time.

To committee on Judiciary.

Upon motion of Senator Leonard, with unanimous consent the chief clerk was directed to hold the bill jacket at the clerk's desk until 10:00 o'clock Friday morning, January 22, for the possible addition of Co-authors to this bill.

### Senate Bill 27

Relating to inadmissibility of recorded telephone conversations.

By Senators Leonard, Sussman and Schreiber.

Read first time.

To committee on Judiciary.

### Senate Bill 28

Relating to the formation of instrumentalities (as non-stock corporations) in counties to carry on programs and operations designed to stimulate the retention, establish-

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ment or enlargement of industrial, commercial and manufacturing enterprises, to prevent unemployment and to preserve and enhance the tax base.

By Senators Leonard, Lorge, Zaborski, Schreiber; co-sponsored by Assemblymen Pommerening, Whittow, Soik, Nitschke, Alfonsi, Haase, Jones, Molinaro, McCormick and Flannigan.

Read first time.

To committee on Governmental and Veterans' Affairs.

### Senate Bill 29

A bill to create 347.45 (5) of the statutes, prohibiting driving a motor vehicle on a highway with tires having no measurable tread.

By Senator Sussman.

Read first time.

To committee on Highways.

### Senate Bill 30

A bill to amend 158.09 (1) (c) of the statutes, relating to qualifications for barber apprentice permits.

By Senator Roseleip; co-sponsored by Assemblyman Hanna.

Read first time.

To committee on Public Welfare.

### Senate Bill 31

A bill to create 954.031 of the statutes, relating to a merchant or a merchant's employe or peace officer taking into custody and detaining a person where probable cause exists to believe that the person unlawfully took or removed goods held for sale.

By Senator Roseleip; co-sponsored by Assemblyman Hanna.

Read first time.

To committee on Judiciary.

### Senate Bill 32

A bill to amend 48.25 (1); and to create 48.26 (4) of the statutes, relating to open hearings and records and full publicity in juvenile proceedings involving children charged with felonious acts.

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By Senators Roseleip, Hollander, Warren, Krueger, Meunier; and co-sponsored by Assemblyman Hanna.

Read first time.

To committee on Judiciary.

### Senate Bill 33

Relating to extending daylight saving to agree with nearby states.

By Senator Roseleip; co-sponsored by Assemblyman Hanna.

Read first time.

To committee on Governmental and Veterans' Affairs.

### Senate Bill 34

Relating to payment for sewage transmission and disposal from populous county buildings.

By Senator Busby.

Read first time.

To committee on Judiciary.

### Senate Bill 35

Relating to parental signature on motor vehicle registration application by minors under 18 years of age.

Read first time.

By Senator Busby.

To committee on Highways.

### Senate Bill 36

Relating to requiring motor vehicle registration plates to be reflectorized.

By Senators Bice and Zaborski.

Read first time.

To committee on Highways.

### Senate Bill 37

Relating to the issuance of trading stamps and their redemption.

By Senators Panzer, McParland and Benson; co-sponsored by Assemblymen Kunde, Manders, Ceci, N. C. Anderson and Schroeder.

Read first time.

To committee on Judiciary.

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Upon motion of Senator Busby, with unanimous consent, the senate returned to the 4th order of business.

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### RESOLUTIONS INTRODUCED

#### **Senate Joint Resolution 17**

Relating to abolishing the officers of coroner and surveyor in populous counties.

By Senator Busby.

Read first time.

To committee on Judiciary.

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### MESSAGE FROM THE ASSEMBLY

By James P. Buckley, chief clerk thereof.

Mr. President:

I am directed to inform you that the assembly has adopted and asks concurrence in

#### **Assembly Joint Resolution 13 and**

The action by which the assembly, upon motion of Assemblymen McEssy and Schwefel, pursuant to Joint Rule 26, has directed the Legislative Reference Library to prepare a suitable joint certificate of Congratulations to Fond du Lac Goodrich High School Band on the occasion of its selection to and participation in the Presidential Inaugural Parade in Washington D. C., and

The action by which the assembly, upon motion of Assemblyman Gessert, pursuant to Joint Rule 26, has directed the Legislative Reference Library to prepare a suitable joint certificate of Congratulations to Plymouth Wisconsin High School and its Coach Mr. Del Prust on the occasion of winning the 1964 Eastern Wisconsin Football Championship and

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The action by which the assembly, upon motion of Assemblyman Borg, pursuant to Joint Rule 26, has directed the Legislative Reference Library to prepare a suitable joint certificate of Congratulations to the Badger High School Band of Lake Geneva on the occasion of their participation in the Orange Bowl Parade.

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### ASSEMBLY MESSAGE CONSIDERED

#### **Assembly Joint Resolution 13**

Relating to the College Bowl Championship won by the Lawrence University Team.

The joint resolution was considered at this time, upon motion of Senator Lorge, with unanimous consent.

Was read.

The joint resolution was concurred in.

The assembly's action under Joint Rule 26 pursuant to motion by Assemblymen McEssy and Schwefel, was concurred in, upon motion of Senator Hollander.

The assembly's action under Joint Rule 26 pursuant to motion by Assemblyman Gessert, was concurred in, upon motion of Senator Keppler.

The assembly's action under Joint Rule 26 pursuant to motion by Assemblyman Borg, was concurred in, upon motion of Senator Carr.

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Upon motion of Senator Busby, with unanimous consent, the senate returned to the 5th order of business.

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### BILLS INTRODUCED

#### **Senate Bill 38**

Relating to property tax credits, and making an appropriation.

By Senators Busby, Schreiber, Krueger, McParland and Benson.

Read first time.

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To committee on Labor, Taxation, Insurance and Banking.

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### GUESTS INTRODUCED

Senator Meunier announced to the senate that it is honored by the presence of Mr. Thomas Pinney from Sturgeon Bay, Wisconsin.

The president pro tempore extended his welcome to the guest.

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Senator Knowles moved that the senate adjourn until 9:00 o'clock Friday morning, January 22, 1965.

The motion prevailed.